

federal court's previous resolution on the merits." *Gonzales v. Crosby*, 545 U.S. 524, 532 (2005). Movant seeks relief on the grounds that the prosecution withheld exculpatory evidence. This clearly constitutes a "claim" and not a procedural defect under applicable precedent. The motion is therefore a second or successive habeas petition. Because Movant still has not obtained certification from the appropriate court of appeals, dismissal is warranted pursuant to 28 U.S.C. § 2255(h).

Accordingly,

IT IS HEREBY ORDERED that Movant's Motion for Relief Under Rule 60(b)(6) (Doc. 8) is **DISMISSED**.

Dated this 13th day of October, 2020.

A handwritten signature in black ink, reading "John A. Ross", is written over a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE